

## **REMARKS**

Claims 1-28 are currently pending in the application. The independent claims, claims 1 and 12, have been amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-4, 7-8, 10-12, 21-23, and 25-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Vicknair et al. (U.S. Pub. No. 2003/0208421, hereinafter Vicknair). This rejection is respectfully traversed. Claim 1 recites analyzing the visual record and recognizing the amount from the visual record using optical character recognition. For example, an image may be taken of a check, and the image may include a visual record of the section of the check where the courtesy amount is written. The courtesy amount (the amount of monetary value) can then be determined from the visual record of the image using optical character recognition.

Vicknair does not teach or suggest the above limitation from claim 1. Vicknair teaches capturing a digital image of a check, but retrieving actual data (such as the amount of monetary value) is only done with magnetic information from magnetic ink character recognition (MICR) data. See, for example, paragraph [0031] of Vicknair.

MICR data recognition cannot be performed on a portion of an image to recognize an amount of monetary value. Instead, MICR is performed by moving the check, and in particular the MICR printed line on the bottom of the check, across a read head. The magnetism contained within the ink allows the read head to determine the printed MICR value. More specifically, MICR is unrelated to optical character

recognition, which is recited in claim 1. Vicknair is therefore silent with respect to optical character recognition, and more specifically "an image recognition module adapted to analyze the visual record and recognize the amount from the visual record using optical character recognition," as claim 1 recites.

This makes sense in view of the use model anticipated by Vicknair. The digital image captured by Vicknair is not analyzed, but is instead stored for later display. In Vicknair, a visual image is taken by the back office of a bank so that when a transaction is selected, the corresponding visual image can be displayed. The amount of the monetary value has already been manually determined by a human (such as a teller) and added to the check by printing additional MICR data by the time the visual image of the check is captured.

By contrast, the present application is designed for use at the point of presentment (such as at a teller window). A system according to the present disclosure can be used to verify that the courtesy amount identified by the teller (which may later be written to the check using MICR printing) matches the courtesy amount actually written on the check.

Independent claim 12 defines over Vicknair for at least similar reasons as claim 1. Claims 2-4, 7-8, 10-11, 21-23, and 25-28 ultimately depend from claims 1 and 12, and thus are in condition for allowance for at least similar reasons.

### **REJECTION UNDER 35 U.S.C. § 103**


Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Vicknair in view of Josephson et al. (U.S. Pub. No. 2003/0213841, hereinafter Josephson). Claims 7, 9, and 13-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vicknair in view of Franklin (U.S. Pat. No. 5,987,437). These rejections are respectfully traversed. Claims 6-7, 9, and 13-20 ultimately depend from independent claims 1 and 12 and are thus in condition for allowance for at least similar reasons as claims 1 and 12. Neither Josephson nor Franklin remedy the deficiencies of Vicknair with respect to independent claims 1 and 12. In addition, while not explicitly rejected, claims 5 and 24 depend from independent claims 1 and 12, respectively, and are thus in condition for allowance for at least similar reasons.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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